City of South Bend
Board of Adjustments
Agenda
July 10, 2018
4:30 pm
South Bend City Hall

I. Call meeting to order

II. South Bend School District – Conditional Use Permit

III. Adjournment

Board of Adjustment

Conditional Use Permit Application #01-2018

Applicant: South Bend School District

Application Summary

Project Name: South Bend School District Elementary School Construction

Description of Project: The South Bend School District is proposing to construct a new elementary school situated behind the existing elementary and high school buildings. Once the school is complete, the project will demolish the current elementary school and construct a new parking area in its place. The new building and parking area will be approximately 35,000 square feet each. Pictures on next page and the site plan in the attached conditional use application show the proposed location of the improvements.

Construction of a school within the Neighborhood District requires a conditional use permit (CUP). A CUP evaluates a proposal with respect to location, design, city may approve or approve with conditions a CUP only if the applicant demonstrates compatibility with surrounding uses and the environment.

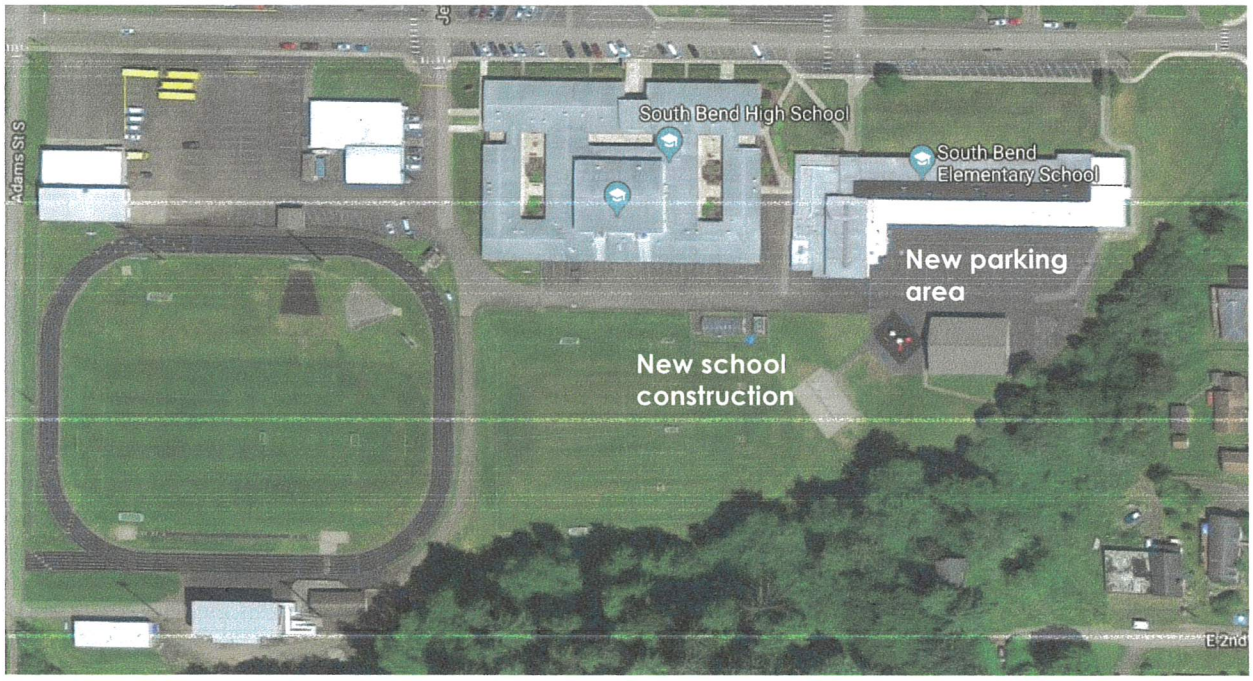
Application procedures: Conditional use permits are a Type 3 permit review process that requires an open record public hearing before the Board of Adjustment. There is no local government appeal for conditional use permits.

Determination of Completeness: June 7, 2018

Notice of Application: June 13, 2018

Environmental Review: The city issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act (SEPA) on June 13, 2018. Other responsible agencies included the Office of the Superintendent of Public Instruction and the Department of Ecology. After completion of the 14-day comment period, the city received one comment from the Department of Ecology. See attached.

Open Record Public Hearing: July 10, 2018 beginning at 4:30 PM in the South Bend City Hall Council Chambers.



Findings of Fact

1. The location of the project site is in the Neighborhood District. SMBC 15.20.090 lists schools as a conditional use.

2. The proposed site for the new elementary school is on school district property currently used as a playfield. While there will be no change in use, the current parking area will expand significantly and there will be a reduction in the area devoted to a playfield.

3. SBMC 15.08.140(A) establishes criteria for approving a conditional use permit. The conditional use permit reviews the proposed use for the following issues:

a. Compatibility with neighboring properties. Because there is no change in use or its operation, the proposed project should remain at its current level of compatibility with the neighborhood.

b. Traffic hazards and congestion. The expectation is that there will not be any change in traffic hazards or congestion. The school property has a sidewalk on the north side of the property to provide safe access for students.

c. Street and road capacities in the surrounding area. First Street is a designated city arterial capable of accommodating expected traffic flow. Placement of ingress and egress for the parking lot will need to be appropriately placed away from the corner of First and Monroe Streets to ensure clear vision for traffic.

d. Location and amount of off-street parking. SBMC 15.20.270 requires elementary schools to provide 1 parking space for every employee plus an additional 10 spaces. The proposed parking area will accommodate the required number of spaces.

e. Visual and auditory impacts. SBMC 15.20.120 establishes a maximum building height of 35 feet. The application states the new building will not exceed that height. There is no expected increase in visual impacts other than currently existing at the site. Once construction is complete, auditory impacts likely will remain at current levels.

f. Obtrusive visual blight. There is no anticipated visual blight expected as an outcome of the project.

g. Any other unusual impact associated with the proposed conditional use. The increase in impermeable surface area relating to the parking lot may cause a significant increase in stormwater site run-off. As final design for the project progresses, the stormwater calculations may show that the city's current stormwater conveyance system may not have the capacity to accommodate the increased run-off. This may require construction of onsite stormwater retention best management practices to prevent potential flooding both on and off the school district property.

Conclusions

After considering public testimony at the open record public hearing and the findings of fact, the board of adjustment makes the following conclusions for the record:

1. The conditional use permit is consistent with the purpose of the zoning district;

2. The use will not cause or allow conditions that create general nuisances or hazards to life or property, provided, however, that further analysis of stormwater runoff may require the construction of onsite stormwater retention best management practices to prevent general flooding in the area;

3. The use conforms to the comprehensive plan; and

4. The use meets all conditions and requirements of the Neighborhood District, as well as the zoning code in general.

Decision

The board of adjustment approves Conditional Use Permit #01-2018 to allow the South Bend School District to build a new 35,000-square foot elementary school, remove the current elementary school, and construct a 35,000 square foot parking lot consistent with the following conditions:

1. If stormwater analysis determines the existing city stormwater conveyance system cannot accommodate proposed site run-off, the applicant shall construct on-site stormwater retention best management practices;

2. Construction of on-site improvements generally shall conform to the site plan submitted with the conditional use application; and

3. The applicant shall satisfy the DNS comments provided by the Department of Ecology in the letter dated June 27, 2018 (see Supporting Documentation); and

4. This conditional use permit shall become invalid if not exercised within five-years of the date of the Notice of Decision. There is no expiration date established for this conditional use permit.

The South Bend Board of Adjustment **APPROVES** Conditional Use Permit Application #01-2018 on the 10th day of July 2018.

Ayes: 4 Noes: 0 Abstentions: 1

Don Corcoran, Chair

Attest: Kim Porter
Kim Porter, Secretary

CONDITIONAL USE PERMIT

Under the provisions of the City of South Bend Zoning Ordinance No. 932, any use not specifically permitted or prohibited, or as listed as requiring a "Land Use Permit", in a zoning district may be permitted to locate in said zoning district only after the holding of a public hearing by the Planning Commission and the granting of a Land Use Permit, imposing such standards as are contained in the City of South Bend Zoning Ordinance, to make the land use compatible with other permitted uses in the same vicinity and zoning district.

APPLICATION NO._____ PERMIT FEE $520.00

Plus >8hrs+Direct costs

DATE 5-25-18

APPLICANTS NAME South Bend Schools PHONE 875-6041

ADDRESS 405 E. First St.

THIS CONDITIONAL USE PERMIT IS FOR THE PROPERTY DESCRIBED BELOW:

PROPERTY ADDRESS 400 E. First St

LOCATED ON THE South SIDE OF 1st St. E STREET

LEGAL DESCRIPTION 140934 010 SB

PROPOSED LAND USE school construction

PROPERTY OWNER South Bend School District No. 118

ADDRESS 405 E. First South Bend, WA PHONE 360.875.6041

SIGNATURE

CITY OF SOUTH BEND
1102 W FIRST ST
PO BOX 9
SOUTH BEND, WA 98586
PHONE: (360) 875-5571 FAX: (360) 875-4009
www.southbend-wa.gov

CONDITIONAL USE PERMIT INFORMATION

BACKGROUND

Requirements for obtaining conditional use permits are outlined in the South Bend's Zoning Ordinance. "Conditional Uses" require a special degree of control to make the uses consistent with and compatible to other existing or permitted uses in the same zone. Conditional Use permits may be granted by the Planning Commission if the use is listed as a conditional use in the Zoning Ordinance. Objection to a Conditional Use must be based on some particular feature of the project unique to the site, not inherent in the use.

SUBMITTAL CHECKLIST

- ✓ Conditional Use Permit Application Form
- ✓ Site Plan showing dimensions of the proposed development and relationship to surrounding roadways and properties
- ✓ SEPA Environmental Checklist, if project is not exempt from SEPA
- ✓ Application fee (see current Development Fee Ordinance)

APPLICATION PROCESS

You may request a pre-application conference with the City Supervisor before submitting a Conditional Use permit application to discuss requirements and the review process. If you request consolidated permit processing, a pre-application conference is required.

Once the materials listed above have been submitted, the City Supervisor will review the application materials and make a recommendation to the Planning Commission on the Conditional Use permit application. When the Planning Commission receives the City Supervisor's recommendation, the Planning Commission will conduct a public hearing on the application. You should plan to attend this public hearing.

Following the public hearing, the Planning Commission will approve, approve with conditions, or deny the Conditional Use request.

APPEALS

You may appeal decisions of the Planning Commission to the City Council within twenty-four (24) days of the decision of the Planning Commission.

CITY OF SOUTH BEND

PLANNING COMMISSION FINDINGS OF FACT

CONDITIONAL USE PERMIT

Applicant(s) Name: South Bend School

Recommendation from City Supervisor was: APPROVE DENY

Upon review of this application, the Planning Commission has found that the proposed use:

- Conforms generally to the objectives of the Comprehensive Plan and the intent of the City's development regulations: YES NO
- Will not be materially detrimental to the nearby affected properties or their occupants: YES NO
- Meets the overall density coverage, yard, height, and all other regulations of the district in which it is located YES NO

Specific findings and conclusions to support the decision:

Based on the application, related materials, the City Supervisor's recommendation, SEPA determinations, comments made at the hearing by the applicant(s), neighboring property owners, and other interested parties, the decision by the Planning Commission on this Conditional Use Permit application is:

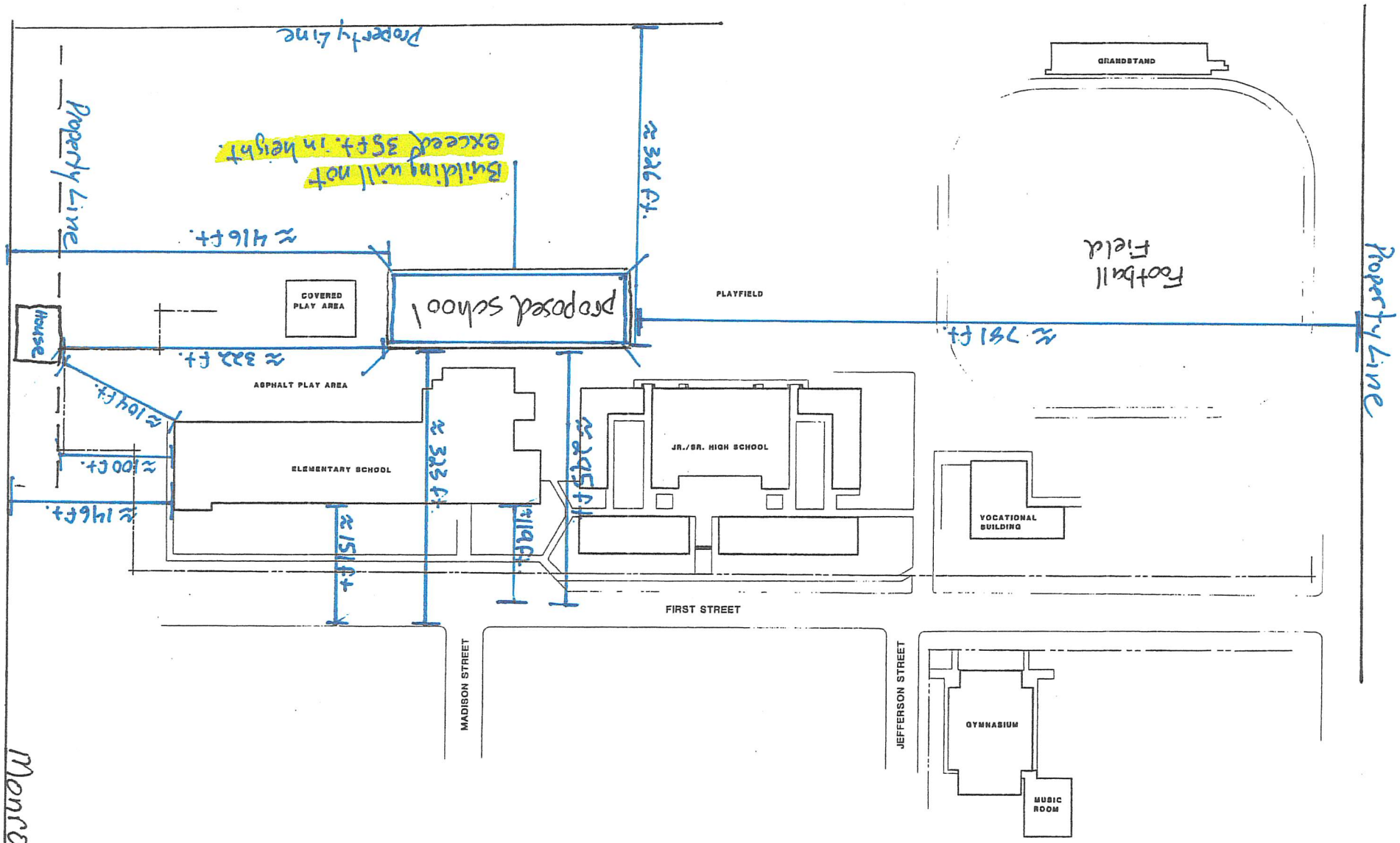
APPROVE

DENY

APPROVE, WITH THE FOLLOWING CONIDTIONS:

Signature _____ Date _____

(Planning Commission Chair)



PLOT PLAN

SOUTH BEND SCHOOL COMPLEX

NORTH

0 25 50 100 150 225 325

South Bend School District Elementary School Construction
Determination of Nonsignificance (DNS)

Description of proposal: Construction of a new 35,000 sq ft elementary school to be located southwest of the existing elementary school on district property. The project will also include demolition of old elementary school and construction of new parking area.

Construction of a school within the Neighborhood District requires a conditional use permit (CUP). A CUP evaluates a proposal with respect to location, design, size, method of operation, circulation, and/or demand on public facilities. The city may approve or approve with conditions a CUP only if the applicant demonstrates compatibility with surrounding uses and the environment.

Proponent: South Bend School District, represented by Jon Tienhaara, Superintendent

Location of proposal, including street address, if any: 500 First Street, South Bend, WA 98586. Parcel #14093422010

Lead agency: City of South Bend

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

☐ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

☒ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below: **June 27, 2018**

Responsible official: Dennis Houk

Position/title: City Supervisor **Contact:** (360) 875-5571 dennis.houk@southbend-wa.gov

Address: PO Drawer 9, South Bend, WA 98586

Date: June 13, 2018 **Signature:** /signed/ Dennis Houk

Notice of Application
South Bend School District Conditional Use Permit

Notice Date: June 13, 2018

Project Name: South Bend School District Elementary School Construction

Applicant Designated Representative: Jon Tienhaara

Applicant Address: 405 E. First Street

Application Date: May 25, 2018

Determination of Completeness: June 7, 2018

Project Location: 500 First Street, South Bend, WA 98586. Parcel #140934 010 SB.

Description of Project: Construction of new elementary school to be located behind current school buildings. Will also include demolition of old elementary school and construction of new parking area. The new building will be approximately 35,000 sq ft. The parking area will be approximately 35,000 sq ft.

Construction of a school within the Neighborhood District requires a conditional use permit (CUP). A CUP evaluates a proposal with respect to location, design, size, method of operation, circulation, and/or demand on public facilities. The city may approve or approve with conditions a CUP only if the applicant demonstrates compatibility with surrounding uses and the environment.

Open Record Public Hearing: This project requires an open record hearing before the City of South Bend Board of Adjustment. This hearing will be held at 4:30 p.m., July 10, 2018, in the Council Chambers of the South Bend City Hall, 1102 W. First Street.

Public Comment: Any person may attend the open record public hearing to provide oral or written comment regarding the project. The city will accept written comments on the Notice of Application until the time and date of the open record public hearing. Written comments can be hand-delivered or mailed to: City Supervisor, South Bend City Hall, 1102 W. First Street, PO Drawer 9, South Bend, WA 98586.

Environmental Review: The city issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act (SEPA) on June 13, 2018. Any person who wishes to comment on the DNS shall submit them to the City Supervisor by 3:00 p.m. June 27, 2018.

Notice of Decision: Any person may request a copy of the Notice of Decision by submitting a written request to the City Supervisor. Decisions of the Board of Adjustment are final.

Project Documents are available for viewing at City Hall, 1102 W. First Street, South Bend, WA 98586.

ENVIRONMENTAL CHECKLIST

South Bend Elementary School

A. Background

1. Name of proposed project, if applicable: Construction of new South Bend elementary school

2. Name of applicant: Jon Tienhaara, Superintendent

3. Address and phone number of applicant and contact person: PO Box 437 South Bend, Wa 98586, (360) 875-6041

4. Date checklist prepared: May 17, 2018

5. Agency requesting checklist: City of South Bend

6. Proposed timing or schedule (including phasing, if applicable): Construction to start January, 2019

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. Geotecnical Feasibility Study; Drainage Report, Temporary Erosion Control Plan (TESC); Storm Water Pollution and Prevention Plan (SWPPP), Photometric / Lightin Analyisis

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. N/A

10. List any government approvals or permits that will be needed for your proposal, if known. City of South Bend building and conditional use permits, Office of Superintendent of Public Instruction state assistance approval process, Labor and Industries Electrical Permit. Department of Ecology General Construction Storm Water Permit.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) Construction of new elementary school to be located behind current school buildings. Will also include demolition of old elementary school and construction of new parking area. The new building will be approximately 35,000 sq ft. The parking area will be approximately 35,000 sq ft.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. The elementary school location currently is at 500 1st Street. New elementary school will locate on soccer fields behind the high school at 400 E. First St.

B. Environmental Elements

1. *Earth*

a. General description of the site:

(circle one): **Flat,** rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? Most of the site is level with the toe of a slope at the southern boundary of the proposed construction site.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Site consists predominately of Udorthents soils. These are moderately well-drained soils, with a a water table of 24 to 72 inches. Depth to restrictive layers is approximately 80 inches.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. None

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. Building will be approximately 30,000 sq ft, so the grading/fill will be in an area of between 15,000 sq ft to 35,000 sq ft (estimate). It would be on the lower end if the building is 2 story. The parking area will be approximately 35,000 sq ft. There will be approximately 3ft of fill used to bring up the grade of the school building. Fill will be a mixture of dirt and gravel imported from off site. We anticipate approximately 6,000 Cubic Yards of import of structural fill and 4,000 Cubic Yards of unsuitable export of soil materials. Structural fill will be importated from an offsite quarry that meets the design criteria for structural fill.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. TESC measures will be installed prior to construction conform to the Department of Ecology requirements

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? The percent of impervious surfaces roughly remain the same with the demolition of the current elementary school.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Will implement erosion barriers to ensure soils do not run-off beyond the site. Fill/grading will remain minimal and located to the impacted area of construction.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. There will be temporary air emissions during the construction phase from heavy equipment on site. There will be no operation and maintenance emissions once school is complete.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No

c. Proposed measures to reduce or control emissions or other impacts to air, if any: None

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. None

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. Not applicable

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. Not applicable

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Site is not located in the 100-year floodplain.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No

b. Ground Water: [help]

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the

number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. None

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. Stormwater will flow into the city's existing stormwater system.

2) Could waste materials enter ground or surface waters? If so, generally describe. No.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. The finished site will have the same drainage patterns as currently experienced on site.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: Collect and direct storm drainage into city stormwater system.

4. Plants

a. Check the types of vegetation found on the site:

____deciduous tree: alder, maple, aspen, other
____evergreen tree: fir, cedar, pine, other
____shrubs
X grass
____pasture
____crop or grain
____ Orchards, vineyards or other permanent crops.
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
____water plants: water lily, eelgrass, milfoil, other
____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?
Grass

c. List threatened and endangered species known to be on or near the site. None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Replant any displaced grass

e. List all noxious weeds and invasive species known to be on or near the site. None

5. Animals [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. songbirds, deer

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other: racoon
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. None

c. Is the site part of a migration route? If so, explain. No

d. Proposed measures to preserve or enhance wildlife, if any: None

e. List any invasive animal species known to be on or near the site. None

6. *Energy and Natural Resources*

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Electricity

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: The building will meet energy conservation standards required under the Washington State Energy Code.

7. *Environmental Health*

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. No

1) Describe any known or possible contamination at the site from present or past uses. None

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. None

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. None

4) Describe special emergency services that might be required. None

5) Proposed measures to reduce or control environmental health hazards, if any: None

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. Construction equipment during regular work hours.

3) Proposed measures to reduce or control noise impacts, if any: Work during normal work hours.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. The site will continue to be used as school facilities at project completion. Adjacent properties are residential with forested hillside along the southern portion of the project site.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? No

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: No

c. Describe any structures on the site. School facilities and related buildings

d. Will any structures be demolished? If so, what? Yes, Chauncey Davis Elementary

e. What is the current zoning classification of the site? Neighorhood District

f. What is the current comprehensive plan designation of the site? Neighborhood District

g. If applicable, what is the current shoreline master program designation of the site? NA

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. No

i. Approximately how many people would reside or work in the completed project? Approximately 300 students and staff

j. Approximately how many people would the completed project displace? None

k. Proposed measures to avoid or reduce displacement impacts, if any: None

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: The project requires a conditional use permit to evaluate impacts to neighboring properties.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: NA

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. None

c. Proposed measures to reduce or control housing impacts, if any: None

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Potential maximum height is two stories. Maximum height in the zoning district is 35 feet. Exterior will use typical wood materials.

b. What views in the immediate vicinity would be altered or obstructed? None

b. Proposed measures to reduce or control aesthetic impacts, if any: No negative aesthetic impacts anticipated.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Project shall provide lighting on the building perimeter, site pedestrian paths and parking areas to provide visibility and safety. Lighting will automatically turn on when it gets dark.

b. Could light or glare from the finished project be a safety hazard or interfere with views? No. Glare will be mitigate by light directional shielding. Lighting will be pointed downward.

c. What existing off-site sources of light or glare may affect your proposal? Exterior light fixtures shall be designed to mitigate glare to adjacent parcels. LED lighting will be used and fixtures will be down cast and shielded. During design a photometric analysis will be preparded to demonstrate that no more that 1 foot candle of light spill at adjacent properties.

d. Proposed measures to reduce or control light and glare impacts, if any: NA

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?
Football field, playground, swings, play equipment

b. Would the proposed project displace any existing recreational uses? If so, describe.
No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe. No

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. No

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

No loss, changes, or disturbance anticipated

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The site is served by 1st Street, a city arterial. No change in street access is anticipated by the project.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? No, but a transit stop is approximately two blocks away.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? None eliminated, there will be additional parking yet to be determined.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). No

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. No

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? No change in trips per day.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. No

h. Proposed measures to reduce or control transportation impacts, if any: None

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. No

b. Proposed measures to reduce or control direct impacts on public services, if any. None

16. Utilities

a. Circle utilities currently available at the site:
electricity, natural gas, **water**, **refuse service**, **telephone**, **sanitary sewer**, septic system, other _____

c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. There will be no change in utility use and consumption.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: John Tienhaara

Position and Agency/Organization Superintendent, South Bend School District

Date Submitted: May 25, 2018

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 27, 2018

Dennis Houk, City Supervisor
City of Southbend
1102 West First Street
South Bend, WA 98586

Dear Mr. Houk:

Thank you for the opportunity to comment on the determination of nonsignificance for the South Bend School District Elementary School Construction Project as proposed by South Bend School District. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

HAZARDOUS WASTE & TOXICS REDUCTION: Tara Davis (360) 407-6275

The applicant proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. Also, be aware that PCBs are increasingly being found in caulking and paint. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials.

Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at: https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Construction-and-demolition. For more information about safely handling dangerous wastes and demolition debris, the applicant may also contact Robert Rieck with Ecology's Hazardous Waste and Toxics Reduction program (HWTR) at (360) 407-6751.

SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287

All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit

approval may be required from your local jurisdictional health department prior to filling (WAC 173-350-990).

All removed debris and dredged material resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department for proper management of these materials

TOXICS CLEANUP: Matthew Morris (360) 407-7529

If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Matthew Morris with the SWRO, Toxics Cleanup Program at the phone number provided above.

WATER QUALITY: Chris Montague-Breakwell (360) 407-6364

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
    a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:

a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.

You may apply online or obtain an application from Ecology's website at: http://www.ecy.wa.gov/programs/wq/stormwater/construction/ - Application. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(MLD:201803141)

cc: Tara Davis, HWTR
Robert Rieck, HWTR
Derek Rockett, SWM
Matthew Morris, TCP
Chris Montague-Breakwell, WQ
Jon Tienhaara, Superintendent, South Bend School District (Applicant)